

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3154 of 1996

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FAJLE ABBAS MAHMADALI TALWALA

Versus

COMPETENT AUTHORITY AND                      ADDITIONAL COLLECTOR (ULC)  
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Appearance:

MR JR NANAVATI for Petitioner

MR MUKESH PATEL, AGP, for Respondent No. 1, 2  
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CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 17/08/1999

ORAL JUDGEMENT

1. This petition arises from orders passed under the provisions of the Urban Land (Ceiling & Regulation) Act, 1976.

2. It is common ground on both sides that the State of Gujarat adopted the Urban Land (Ceiling & Regulation) Repeal Act, 1999 on 30th March 1999.

3. It is also common ground on both sides that by virtue of section 4 of the Repeal Act, all proceedings pending on the said date shall abate.

4. It is so found and accordingly held, and the present petition is disposed of accordingly.

5. Learned AGP states on instructions that the State of Gujarat will abide by the Circular issued by the State Government in the Revenue Department No.ULC/1099-602/V1 dated 15th April 1999.

6. From the record of the present petition it would appear that the petitioners are in possession of the property in question. It is clarified that these are mere observations based upon the state of the record of the present petition and are not to be interpreted as

findings of fact recorded upon any factual controversy between the parties.

7. Rule is accordingly discharged with no order as to costs. Interim relief if any stands vacated.

17.08.1999 (Y.B. BHATT J.)